

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No.07-cv-02116-REB-KMT

PETER EDWARD,

Plaintiff,

v.

ROBERT E. DUBRISH,

Defendant.

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**ORDER ADOPTING RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

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**Blackburn, J.**

This matter is before me on the following: (1) **Plaintiff's Verified Emergency Motion for Temporary Restraining Order and Preliminary Injunction** [#46] filed July 14, 2008; and (2) the **Recommendation of United States Magistrate Judge** [#82] filed January 9, 2009. I deny the motion, and I approve and adopt the magistrate judge's recommendation.

None of the parties has filed any objections to the magistrate judge's recommendation. Therefore, I am required only to review the recommendation for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).<sup>1</sup> Because the plaintiff is proceeding *pro se*, I have construed his pleadings more liberally and held them to a less stringent standard than formal pleadings drafted by lawyers. *See Erickson v. Pardus*, 551 U.S. 89, \_\_\_, 127 S.

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<sup>1</sup> This standard pertains even though plaintiff is proceeding *pro se*. *Morales-Fernandez*, 418 F.3d at 1122.

Ct. 2197, 2200 (2007); **Andrews v. Heaton**, 483 F.3d 1070, 1076 (10th Cir. 2007); **Hall v. Bellmon**, 935 F.2d 1106, 1110 (10<sup>th</sup> Cir. 1991). The recommendation is detailed and well-reasoned. Finding no error, much less plain error, in the magistrate judge's reasoning and recommended disposition, I find and conclude that the arguments advanced, authorities cited, and findings of fact, conclusions of law, and recommendation proposed by the magistrate judge should be approved and adopted.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Recommendation of United States Magistrate Judge** [#82] filed January 9, 2009, is **APPROVED AND ADOPTED** as an order of this court; and

2. That the **Plaintiff's Verified Emergency Motion for Temporary Restraining Order and Preliminary Injunction** [#46] filed July 14, 2008, is **DENIED**.

Dated March 6, 2009, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge